

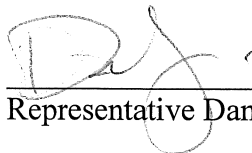
Minority Report
Conference Committee to HB2296
Now: restricted license; DUI; suspension
May 13, 2021

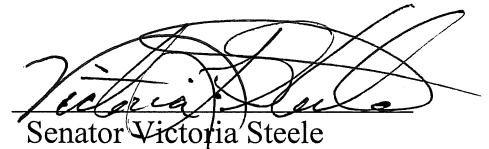
We oppose HB2296, now: restricted license; DUI; suspension, as amended in conference committee, because the bill goes from one that modifies restrictions to a person's driver license or permit as a result of a conviction for certain driving violations, to include provisions that should be a stand-alone bill.

The legislation that is now included in HB2296 prohibits traffic survival schools from providing online instruction, unless the governor has declared a state of emergency. It also allows the Arizona Department of Transportation (ADOT) to grant a person who enrolls in a traffic survival school a onetime waiver of the in-person requirement if the person demonstrates a substantial burden. The problem is that if there is no state of emergency, the person that demonstrates a burden does not have an option to attend an online traffic school. Another issue with the amendment language is that a substantial burden is not defined so ADOT does not know the intent of the legislation in allowing for an individual to attend an online traffic survival school class.

In committee, the proponents of a similar bill, HB2757 traffic survival school; online prohibited, stated that these courses must be taught in person for individuals to learn the materials. Due to the pandemic, traffic survival school is being taught online with guidelines that ensure that participants are engaged and present to receive credit. The classes are also monitored by the Arizona Chapter National Safety Council. An individual taking an online traffic survival course is not just answering questions; they are doing the work as if they were in person. ADOT allows for traffic survival school to be offered online, if a business chooses to provide that service, and also allows for citizens across the state to have access to the course instead of having to drive various miles to take the class.

For these reasons, we oppose HB2296 as amended by the conference committee.


Representative Daniel Hernandez


Senator Victoria Steele